IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.37116 of 2008
KRISHNA KUMAR @ RINTU KRISHNA SAH,
son of Ganga Sah, resident of
Mohalla Gami Tola, Katihar,
P.S. & District Katihar
------Petitioner
Versus
STATE OF BIHAR
---

3. 27.11.2008 Heard the learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in connection with Katihar P.S. Case No.168/2008 for the offences under sections 406 and 120 of the Indian Penal Code and section 3 of the Scheduled Caste & Scheduled Tribe (Prevention of Atrocities) Act.

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The allegation against the petitioner is that on his request the complainant had given certain money on different dates on the promise that the petitioner required money in connection with business work which will be returned to him by 15th of November, 2006. It is further alleged that the petitioner did not repay the amount on the promised date and even on subsequent date, he further promised that he will repay the amount till 30th of April, 2007, but the same was not repaid. Ultimately, when the complainant again made demand for refund of the

money, the petitioner abused the complainant by using his caste name “Dom”.

The learned APP appearing for the State opposes the prayer for bail and submits that the allegation is that the petitioner appears to have taken the money on different dates on the pretext of using the same for business and on demand, the petitioner refused to repay.

Considering the facts and circumstances of the case and the nature of the allegation, I am not inclined to grant anticipatory bail to the petitioner. The application is, accordingly, dismissed.

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PNM **(Shailesh Kumar Sinha, J.)**

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